

Sec. 10. The Comptroller of Public Accounts is hereby authorized to employ such clerical assistants as may be necessary to carry out and administer the provisions of this Act, and to prepare such blanks, forms, reports, receipts and any and all other things which may be necessary to provide for the administration of this Act.

Sec. 11. If any section, provision, phrase or clause of this Act should be declared invalid, such invalidity shall not be construed to affect the portions of the Act not so held invalid.

Sec. 12. The fact that the State is badly in need of additional revenue constitutes an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in the House be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Adopted by viva voce vote.

Committee Room,
Austin, Texas, Oct. 3, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 52, A bill to be entitled "An Act amending Subdivision (h), Section 5, Chapter 116, Acts Forty-third Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, Oct. 4, 1935.
Hon. Walter W. Woodul, President
of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 45, A bill to be entitled "An Act creating a more efficient road law for Lampasas County, Texas, authorizing the court to require surety bonds of road overseers, validating the proceedings heretofore had by the county, and by its officials in reference to the issuance of warrants for the purchase of right of

way, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Oct. 3, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 97, A bill to be entitled "An Act validating the organization of Water Control and Improvement Districts and validating all acts of the officials in creating such districts; and validating all bonds issued and all bonds voted but not yet issued by such districts; validating all acts of the officials of said district and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

FOURTEENTH DAY.

Senate Chamber,
Austin, Texas,
October 7, 1935.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Will M. Martin.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Nelson.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum. Pace.
Moore.

Prayer by the Chaplain.

O God, Our Father, we thank thee for the mercy of a new day and week. Bless each one of us with the mercy of a grateful heart. We pray that all things base, evil, inhuman and ignorant shall lose their power and die away and that all things pure, upright, enobling and enriching may grow and gather strength until righteousness and knowledge shall prevail throughout our fair land and the glory of the Lord shall fill the whole earth.

Bless the new member of this body. May he be an acquisition to the strength and dignity of this Legislative body and may the mantle of the fidelity and patriotism of his predecessor fall upon him. Through Jesus Christ, Our Saviour.

Amen.

Senator Excused.

Senator Pace was excused on account of sickness on motion of Senator Holbrook.

Further reading of the Journal was dispensed with on motion of Senator Holbrook.

Committee Reports.

(See appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.**Senate Bill No. 49.**

By Senators Hill, Burns, Rawlings, Martin, Blackert, Holbrook, Shivers, Davis, Isbell, Westerfeld and Sulak:

S. B. No. 49, A bill to be entitled "An Act providing for the employment by the Commissioner of the General Land Office of the State of Texas of two additional clerks to be designated as research and sales clerks, one of whom shall be a licensed lawyer and the other experienced in land office work, to assist him in ascertaining vacant areas of land belonging to the public free school fund of Texas, and disposing of such areas, and to compile a record and assemble information for the State Board of Education; making an appropriation for paying the salaries of said clerks; and declaring an emergency."

Read and referred to the Committee on Finance.

I, R. B. Stanford, Secretary of State in and for the State of Texas, duly qualified and acting as such, do hereby certify that on the 28th day of September, 1935, at a special election called in compliance with the law for and in the 30th Senatorial District of Texas, composed of the counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Gaines, Dawson, Borden, Andrews, Martin, and Howard, the Hon. G. H. Nelson of Lynn County, Texas, received the highest number of votes cast for any person for the office of State Senator in and for the 30th Senatorial District, and is therefore entitled to all emoluments and duties of said office for the unexpired term of the Honorable Arthur P. Duggan, deceased, said term ending in 1937.

In Testimony Whereof I have hereunto signed my name officially and caused the Seal of State to be impressed hereon at Austin, this the 5th day of October, A. D. 1935.

R. B. STANFORD,
Secretary of State.

(SEAL.)

Senate Bill No. 50.

By Senator Cotten:

S. B. No. 50, A bill to be entitled "An Act amending Chapter 171, Acts of the Regular Session of the 44th Legislature by adding thereto a new Section to be numbered as Section 6a, providing for the judge of the 87th judicial district court, on motion or of his own volition, to transfer causes and actions, civil and criminal, pending in Limestone and Freestone Counties from said 87th judicial district court to the 77th judicial district court in said counties, respectively, and likewise to transfer causes and actions, civil and criminal, pending in Anderson County to the third judicial district court in Anderson County; and likewise authorizing and empowering the judge of the 77th judicial district court in Limestone and Freestone Counties, on motion or of his own volition, to transfer causes pending in the 77th judicial district court to the 87th judicial district court in said counties; and likewise

authorizing and empowering the judge of the third judicial district court in Anderson County, on motion or of his own volition to transfer causes pending in said third judicial district court to the 87th judicial district court in said county, repealing all laws in conflict herewith and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

Senate Bill No. 51.

By Senator Cotten:

S. B. No. 51, A bill to be entitled "An Act providing that in all independent school districts having 150 scholastics or more, whether created by General Law or by Special Act of the Legislature, situated within any county having not less than 350,000 population according to the last preceding federal census, if an election shall have been called and held by the trustees or other governing board of any such school district authorized to call such an election or any such election shall hereafter be called by the trustees or other governing board of any such school district for the purpose or purposes of determining whether a maintenance tax shall be levied in any such district or bonds of such district shall be issued and if at any such election the vote shall have resulted contrary to the proposed tax or bonds, the trustees or other governing board of any such school district shall be authorized to call and cause to be held another election at any time thereafter at which there may again be submitted either the proposition to levy a maintenance tax or to issue bonds of such district, or both; repealing all laws, both general and special, in conflict herewith which provide a definite time which shall elapse between such elections within any such school districts, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 52.

By Senator Woodruff:

S. B. No. 52, A bill to be entitled "An Act appropriating One Hundred Twelve Thousand (\$112,000.00) Dollars for the purpose of constructing and equipping a library building on the campus of the North Texas

State Teachers College, at Denton, Texas, under certain conditions and requirements, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 53.

By Senator Nelson:

S. B. No. 53, A bill to be entitled "An Act creating a special road law for Bailey County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of April 10, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, repealing all laws in conflict; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

Senate Bill No. 54.

By Senator Nelson:

S. B. No. 54, A bill to be entitled "An Act creating a special road law for Lamb County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of April 13, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

Senate Bill No. 55.

By Senator Small:

S. B. No. 55, A bill to be entitled "An Act creating a special road law for Hartley County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of May 23, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all Acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Traffic.

Senate Bill No. 56.

By Senator Neal:

S. B. No. 56, A bill to be entitled "An Act making appropriation for the construction and equipment of a coastal and marine biological laboratory on the coast of Texas as a part of the Department of biology of the Texas College of Arts and Industries; providing for its maintenance, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 23.

The Chair laid before the Senate on its second reading the following bill which had been set for special order after the morning call.

By Senator Sanderford:

S. B. No. 23, A bill to be entitled "An Act creating a fund for Old Age Assistance; granting old age assistance to resident citizens of the State of Texas over the age of 65 years and prescribing the qualifications prerequisite to such assistance;

prescribing the requirements of applications therefor; providing for a hearing upon such application, the approval thereof and the placing of the name of the applicant upon the pension rolls; prescribing the time of payment of such assistance; how the amount thereof may be determined and the method in which the fund shall be allocated; providing for the administration of the fund to incompetent claimants; providing for the discontinuance of Old Age Assistance where improperly granted; providing that such payments shall not be subject to debts, and making it an offense to obtain such assistance by false statements, etc., and prescribing penalty therefor; etc., and declaring an emergency."

The caption was read.

Point of Order.

Senator Woodruff raised the point of order that S. B. No. 23 as special order is out of order because at the time of adjournment on Friday, there was pending and undisposed of S. B. No. 17 which is a part of the morning call.

The Chair overruled the point of order.

Senator Holbrook appealed from the ruling of the Chair.

Appeal pending.

Senate Resolution No. 16.

Senator Small was recognized and asked unanimous consent of the Senate to send up the following resolution:

Unanimous consent was granted.

Senate Resolution No. 16.

Whereas, S. B. No. 1 has not been reported upon by State Affairs Committee;

Therefore Mr. President I move that the Committee on State Affairs be instructed by vote of the Senate to report on S. B. No. 1 at the morning call Tuesday, Oct. 8.

SMALL.

Senator Small moved to suspend the rule requiring resolutions be referred to a committee and that it be taken up and considered at this time.

Motion pending.

A second reading was called for.

Points of Order.

Senator Sanderford raised the point of order that a motion was pending before the Senate.

The Chair overruled the point of order.

Senator Rawlings raised the point of order that the Senate has before it S. B. No. 23 and it cannot be left hanging in the air.

The Chair overruled the point of order.

Senator Rawlings raised a further point of order that Senator Small cannot make a motion to suspend the rule and a motion to take up at the same time.

The Chair overruled the point of order stating that a severance could be called for when the vote was taken.

The question recurred on motion of Senator Small to take up S. R. No. 16 without reference to a committee.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Shivers.
Hill.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Neal.	Westerfeld.
Nelson.	Woodruff.

Nays—2.

Holbrook.	Martin.
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Absent—Excused.

Fellbaum.	Pace.
Moore.	

The resolution was adopted by the following vote:

Yeas—28.

Beck.	Davis.
Blackert.	DeBerry.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Hopkins.

Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Neal.	Small.
Nelson.	Stone.
Oneal.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	Woodruff.

Absent—Excused.

Fellbaum.	Pace.
Moore.	

Senate Bill No. 51.

Senator Cotten was recognized and received unanimous consent to send up the committee report on S. B. No. 51.

Senator Cotten asked unanimous consent to suspend the regular order of business and to take up at this time S. B. No. 51.

Consent was granted.

Vote Recorded.

Senator Collie asked to be recorded as voting "no" on the motion to take up S. B. No. 51 out of order.

Senate Bill No. 51.

The Chair laid before the Senate the following bill:

By Senator Cotten:

S. B. No. 51, A bill to be entitled "An Act providing that in all independent school districts having 150 scholastics or more, whether created by general law or by special act of the Legislature, situated within any county having not less than 350,000 population according to the last preceding federal census, if an election shall have been called and held by the trustees or other governing board of any such school district authorized to call such an election or any such election shall hereafter be called by the trustees or other governing board of any such school district for the purpose or purposes of determining whether a maintenance tax shall be levied in any such district or bonds of such district shall be issued and if at any such election the vote shall have resulted contrary to the proposed tax or bonds, the trustees or other governing board of any such school district shall be authorized to call and cause to be held another election at any time

thereafter at which there may again be submitted either the proposition to levy a maintenance tax or to issue bonds of such district, or both; repealing all laws, both general and special, in conflict herewith which provide a definite time which shall elapse between such elections within any such school districts, and declaring an emergency."

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 51 was put on its second reading and final passage by the following vote:

Yeas—28.

Beck.	Nelson.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Pace.
Moore.	

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 51 was put on its third reading and final passage by the following vote:

Yeas—21.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Neal.
Cotten.	Nelson.
Davis.	Oneal.
DeBerry.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Fellbaum.	Pace.
Moore.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Oneal.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Neal.	Westerfeld.
Nelson.	Woodruff.

Nays—2.

Blackert.	Collie.
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Present—Not Voting.

DeBerry.

Absent—Excused.

Fellbaum.	Pace.
Moore.	Poage.

Senator Holbrook was recognized.

Senator Holbrook asked unanimous consent to suspend the regular order to take up S. B. No. 46.

The Chair stated that the bill was not on the calendar nor the desk.

Senate Bill No. 23.

The question recurred on the question of Senator Holbrook's appeal from the ruling of the Chair.

The Chair, President Pro Tem. Will Martin, called upon Senator Woodruff to preside.

The Chair was sustained in his ruling by the following vote:

Yeas—20.

Blackert.	Hopkins.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Poage.
Hill.	Rawlings.

Redditt. Stone.
Sanderford. Sulak.
Shivers. Westerfeld.

Nays—3.

Holbrook. Woodruff.
Nelson.

Present—Not Voting.

Martin.

Absent.

Beck. Small.
Regan. Van Zandt.

Absent—Excused.

Fellbaum. Pace.
Moore.

Point of Order.

Senator Holbrook raised a point of order that the printed bill had not been on the desks for 24 hours.

The Chair sustained the point of order.

Senator Sanderford moved to suspend the rule requiring copies of printed bills to lie on desks for 24 hours.

Senator Woodruff sent up the following substitute:

Mr. President: I move that S. B. No. 23 be rereferred to the Committee on Finance with instructions to the committee to attach to said bill provisions for the levy and collection of taxes for the purpose of paying the pensions of Old Age Assistance provided for in the bill.

WOODRUFF.

Read and pending.

Point of Order.

Senator Sanderford raised the point of order that the pending substitute was out of order because it was not sent up at the proper time as the bill was not before the Senate.

The Chair overruled the point of order.

Senator Woodruff was recognized to discuss the substitute motion.

Senator Small sent up the following amendment to the substitute motion offered by Senator Woodruff.

I move that S. B. No. 23 be rereferred to the Committee on Finance with instructions to set up

details for the creation of an agency to study the Old Age Pension question and methods for financing same to the end that the Legislature may intelligently approach a solution of the problem at some future date.

SMALL.

Read and pending.

Point of Order.

Senator Sanderford raised the point of order that the amendment offered by Senator Small was out of order.

Pending.

Motion to Recess.

Senator Redditt at 12:20 o'clock p. m. moved that the Senate recess until 2 o'clock p. m.

Motion pending.

Senator Redditt yielded to Senator Hill who received unanimous consent to take up out of regular order S. B. No. 35.

Senate Bill No. 35.

The Chair laid before the Senate on its second reading the following bill:

By Senators Hill, Redditt, Holbrook, Burns and Small:

S. B. No. 35, A bill to be entitled "An Act making an appropriation to make certain repairs to the roof, skylights and interior of the State Capitol building; and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 35 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Hopkins.
Blackert.	Hornsby.
Burns.	Isbell.
Collie.	Martin.
Cotten.	Neal.
Davis.	Nelson.
DeBerry.	ONeal.
Hill.	Poage.
Holbrook.	Rawlings.

Redditt.	Stone.
Regan.	Sulak.
Sanderford.	Van Zandt.
Shivers.	Westerfeld.
Small.	Woodruff.

Absent—Excused.

Fellbaum.	Pace.
Moore.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Nelson.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Pace.
Moore.	

Bill Signed.

The Chair, President Pro Tem. Will M. Martin gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 97.

Recess.

The pending motion to recess prevailed by viva voce vote.

After Recess.

The Senate met at 2 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

Joint Session.

In accordance with S. C. R. No. 3 providing for a joint session of the Senate and the House of Representatives to be held at 2 o'clock p. m. today, the Senators marched in a body to the House and being admitted were seated in chairs provided for them along the aisle.

In the House.

The joint session was called to order by Speaker of the House Coke Stevenson, and the Senate was called to order by Lieutenant Governor Walter F. Woodul.

Seated on the speaker's stand were Former Governors Pat M. Neff, O. B. Colquitt, James E. Ferguson, Miriam A. Ferguson, Dan Moody, W. P. Hobby, Congressmen O. H. Cross, J. J. Mansfield, Morgan Sanders and J. P. Buchanan, Gen. W. A. Keeling, Judge Frank Andrews and Col. E. O. Thompson and the artist who painted the portrait of Hon. Jesse H. Jones, Mr. Edmund Pizzella.

The Doorkeeper of the House announced that the distinguished guest of honor and party were at the bar of the House.

Lieutenant Governor Walter F. Woodul, instructed the doorkeeper to admit the visitors.

The party composed of the Hon and Mrs. Jesse H. Jones, Hon. Alben Barkley, Governor James V. Allred and Col. Wakefield escorted by the committee from the Senate, Senators Regan, Redditt and Hornsby proceeded to the platform.

The Speaker of the House, Hon. Coke Stevenson, presented Lieutenant Governor Walter F. Woodul, who presided at the point session.

Lieutenant Governor Woodul eulogized the late Will Rogers and at his suggestion, those present rose for a moment, in silent homage to his memory.

Judge Frank Andrews of Houston was then presented by the Lieutenant Governor and addressed the joint session and guests.

Lieutenant Governor Woodul presented United States Senator Alben W. Barkley, who addressed the joint session.

The following speakers were in turn presented and each spoke briefly: Congressman J. P. Buchanan, Commissioner E. O. Thompson, Attorney General William McCraw.

Governor James V. Allred was then presented and delivered the closing address.

Unveiling Ceremonies.

The Lieutenant Governor, Walter F. Woodul accepted the portrait of

the Hon. Jesse H. Jones on behalf of the Senate and Texas and directed the unveiling of the portrait.

The University of Texas band played the "Eyes of Texas" and the entire assemblage arose as the portrait was unveiled.

The distinguished guest, the Hon. Jesse H. Jones spoke briefly in acknowledgment of the tribute paid him on this occasion.

Lieutenant Governor Walter F. Woodul recognized Senator Regan who moved that the speeches made today be printed in the Journal and thus become a permanent record.

The motion prevailed unanimously.

The Senate retired to the Senate chamber.

Senate Called to Order.

President Pro Tem. Will M. Martin called the Senate to order at 4:50 o'clock p. m.

Adjournment.

Senator Beck at 4:55 o'clock p. m. moved that the Senate adjourn until 11 o'clock a. m. Tuesday.

The motion prevailed by viva voce vote.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Oct. 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 24 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Oct. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 35 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Oct. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on En-

grossed bills, have had S. B. No. 51 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Report.

Committee Room,

Austin, Texas, Oct. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 48, A bill to be entitled "An Act granting aid to the property in and inhabitants of Hidalgo County, Texas, and to Hidalgo County made necessary by reason of calamitous overflows, floods, storms and freezes which cause great destruction of property and loss of life; remitting, releasing, granting and donating to the property in and inhabitants of said County and to Hidalgo County all State ad valorem taxes levied or to be levied on property in said County, including the rolling stock of railroads and three-fourths of the State occupation taxes, for the years 1924 to 1948, both inclusive; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, Oct. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 51, A bill to be entitled "An Act providing that in all independent school districts having 150 scholastics or more, whether created by general law or by special act of the Legislature, situated within any county having not less than 350,000 population according to the last preceding Federal census, if an election shall have been called and held by the trustees or other governing board of any such school district authorized to call such an election or any such election shall hereafter be called by the trustees or other governing board of any such school

district for the purpose or purposes of determining whether a maintenance tax shall be levied in any such district or bonds of such district shall be issued and if at any such election the vote shall have resulted contrary to the proposed tax or bonds, the trustees or other governing board of any such school district shall be authorized to call and cause to be held another election at any time thereafter at which there may again be submitted either the proposition to levy a maintenance tax or to issue bonds of such district, or both; repealing all laws, both general and special, in conflict herewith which provide a definite time which shall elapse between such elections within any such school districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that same do pass, and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, October 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 23, A bill to be entitled "An Act validating, legalizing and approving severally all of the Act of the Boards of Regents of the University of Texas, the board of director of the Agricultural and Mechanical College, the board of directors of the Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the College of Industrial Arts, and the Board of Directors of the Texas College of Arts and Industries, in the authorization and issuance of bonds, notes or warrants heretofore issued or that have heretofore been authorized but not yet issued, validating and approving the pledge of revenues to the payment of said bonds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAWLINGS, Vice-Chairman.

By McKinney, et al. H. B. No. 23.

A BILL

To be Entitled

An Act validating, legalizing and approving severally all the acts of the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College, the Board of Directors of the Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the College of Industrial Arts, and the Board of Directors of the Texas College of Arts and Industries, in the authorization and issuance of bonds, notes or warrants heretofore issued or that have heretofore been authorized but not yet issued, validating and approving the pledge of revenues to the payment of said bonds and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That severally all the acts of the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the College of Industrial Arts and the Board of Directors of the Texas College of Arts and Industries, heretofore had in the authorization and issuance of bonds, notes or warrants evidencing loans made under the provisions of Chapter 5, Acts of the Second Called Session of the Forty-third Legislature, approved February 16, 1934, and all other laws of the State of Texas, relating to such bonds, notes or warrants are hereby in all things validated, confirmed and approved. Any such bonds, notes or warrants issued, or that may hereafter be issued, pursuant to any order or resolution of any such Board of Directors or Board of Regents heretofore adopted are in all things fully validated, approved and confirmed and such bonds, notes or warrants and the pledge of the revenues derived from the construction of any project, or the pledge of any other revenues by any such Board of Directors or such Board of Regents authorized by law to the payment of such obligations are in all things ratified, confirmed and approved.

and such bonds, notes or warrants are hereby declared to be the valid and binding special obligations of such Board of Directors or such Board of Regents, to be paid out of revenues and not otherwise an obligation of said institution.

Sec. 2. The fact that many of the higher institutions of learning in the State of Texas are in need of improvements which may be obtained by loans from the Government of the United States to be repaid by the revenues of such colleges other than revenues derived from taxation, and the further fact that the construction of such improvements will tend to relieve unemployment create an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 25, A bill to be entitled "An Act providing that all bonds, notes or warrants heretofore issued or which have been authorized but not yet issued or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, Revised Civil Statutes of Texas for 1925, including all amendments thereto, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works, shall be negotiable instruments; providing the provisions of this Act shall not apply to any proceedings authorizing the issuance of bonds, notes or warrants the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

By Knetsch.

H. B. No. 25.

A BILL

To be Entitled

An Act providing that all bonds, notes or warrants heretofore issued or which have been authorized but not yet issued or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, Revised Civil Statutes of Texas for 1925, including all amendments thereto, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works, shall be negotiable instruments; providing the provisions of this Act shall not apply to any proceedings authorizing the issuance of bonds, notes or warrants the validity of which has been contested in any pending suit or litigation, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That any provision of any other law to the contrary notwithstanding, all bonds, notes or warrants heretofore issued, or which have been authorized but not yet issued, or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, of the Revised Civil Statutes of Texas for 1925, including all amendments thereto to aid in financing any undertaking or project for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works, are hereby declared to be negotiable instruments and they shall be fully negotiable within the meaning of and for all the purposes of the Uniform Negotiable Instruments Act of this State.

Sec. 2. Provided, however, that the provisions of this Act shall not be construed as validating any proceedings authorizing the issuance of any such bonds, notes or warrants, or any bonds notes or warrants issued by virtue thereof where the validity of such proceedings, and bonds, notes or warrants issued thereunder has been contested or attacked in any pending suit or litigation.

Sec. 3. The fact that many cities and towns of Texas have issued and desire to issue revenue bonds which

possess the attributes of negotiable instruments and the fact that through the sale of such bonds unemployment will be relieved create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, Oct. 7, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 26, A bill to be entitled "An Act amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature by providing that warrants issued under Subdivision (b) thereof shall be negotiable and that the same may be sold for not less than par value to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal agency, and further providing that all warrants heretofore issued under Subdivision (b) shall be negotiable instruments; and amending Section 4 of said Act so as to provide that any contract entered into under authority of this Act shall be in force for the period of time provided for in said contract, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

By Knetsch.

H. B. No. 26.

A BILL

To be Entitled

An Act amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature by providing that warrants issued under Subdivision (b) thereof shall be negotiable and that the same may be sold for not less than par value to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal agency, and further providing that all warrants heretofore issued under subdivision (b), shall

be negotiable instruments; and amending Section 4 of said Act so as to provide that any contract entered into under authority of this Act shall be in force for the period of time provided for in said contract, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature approved October 30, 1933, is hereby amended so as to hereafter read as follows:

"Sec. 2. When any such money is borrowed as authorized and provided in Section 1 hereof for any purpose for which counties in this State may create an indebtedness and levy a tax to pay such indebtedness under the Constitution and laws of this State the repayment of such loan by such county making the loan may be secured in the following manner:

"(a) Such county or counties may sell or pledge its bonds to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal Agency at not less than par value and accrued interest; and/or

"(b) Such counties may issue their negotiable warrants or certificates of indebtedness and sell the same to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal Agency at not less than par value and accrued interest; and/or

"(c) Such counties may convey the site on which any county project is located to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal Agency and lease said county project from the United States of America acting through such Administrator or other Federal Agency at such rental as will repay such loan within the time agreed upon, at which time title to such project shall vest in such county."

Sec. 2. Any provision of any other law to the contrary notwithstanding, all warrants or certificates of indebtedness heretofore issued under the provisions of subdivision (b), Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature and which are pay-

able to the Federal Emergency Administrator of Public Works are nevertheless declared to be negotiable instruments and they shall be fully negotiable within the meaning of and for all the purposes of the Uniform Negotiable Instruments Act of this State.

Sec. 3. That Section 4 of Chapter 109, Acts First Called Session of the Forty-third Legislature, is hereby amended so as to hereafter read as follows:

"Sec. 4. Any contract or agreement made and entered into by any such county under the authority and provisions of this Act shall be valid and in full force and effect for the period of time provided for in said contract and agreement made by such county."

Sec. 4. The fact that many counties in Texas are desirous of making improvements and issuing negotiable warrants therefor and the fact that such action will enable such counties to obtain loans and grants from the Federal Government and thereby relieve unemployment create an emergency and an imperative public necessity that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, Oct. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 27, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects; providing the provisions of the Act shall not apply to any proceedings authorizing the issuance of bonds, notes or warrants, the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

By Knetsch.

H. B. No. 27.

A BILL

To be Entitled

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects; providing the provisions of the Act shall not apply to any proceedings authorizing the issuance of bonds, notes or warrants, the validity of which has been contested in any pending suit or litigation, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. This Act may be cited as "The 1935 Validating Act."

Sec. 2. The following terms, wherever used or referred to in this Act, shall have the following meaning:

(a) The term "public body" means a Water Control and Improvement District, Water Improvement District, Irrigation District, Conservation and Reclamation District, Navigation District, Road District, School District, County, City or Incorporated town of this State.

(b) The term "Bonds" includes bonds, notes, warrants, debentures, certificates of indebtedness, temporary bonds, temporary notes, interim receipts, interim certificates and all instruments or obligations evidencing or representing indebtedness, or evidencing or representing the borrowing of money, or evidencing or representing a charge, lien or encumbrance on specific revenues, income or property of a public body or obligations payable from a special fund.

Sec. 3. All bonds heretofore issued for the purpose of financing or aiding in the financing of any work, undertaking or project by any public body to which any loan or grant has heretofore been made by the United States of America through the Federal Emergency Administrator of Public Works for the purpose of

financing or aiding in the financing of such work, undertaking or project, including all proceedings for the authorization and issuance of such bonds, and the sale, execution and delivery thereof, are hereby validated, ratified, approved and confirmed, notwithstanding any lack of power (other than constitutional) of such public body, or the governing board or commission or officers thereof, to authorize and issue such bonds, or to sell, execute or deliver the same, and notwithstanding any defects or irregularities (other than constitutional) in such proceedings, or in such sale, execution or delivery; and such bonds are and shall be binding, legal, valid and enforceable obligations of such public body.

Sec. 4. Provided however, that the provisions of this Act shall not be construed as validating any such proceedings, or bonds or other obligations issued by virtue thereof, where the validity of any such proceedings or obligations or bonds issued thereunder has been contested or attacked in any pending suit or litigation.

Sec. 5. The fact that many cities and towns in the State of Texas have authorized the issuance of revenue bonds, and in some instances, by inadvertence or oversight, the requirements of law have not been fully complied with, and the further fact that on account of unemployment the immediate relief of citizens may be had by the issuance and sale of such bonds create an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days be suspended and the same is hereby suspended and that this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,

Austin, Texas, October 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 28, A bill to be entitled "An Act validating and approving all proceeding had by cities and towns in the issuance and sale of revenue obligations under the provisions of Articles 1111 to 1118, Revised Civil Statutes of Texas of 1925, as amended, to aid in financing any undertaking for which a loan or

grant has been made by the United States through the Federal Emergency Administrator of Public Works, or any other governmental agency, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds; providing this Act shall not apply to any proceedings or obligations, the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

By Knetsch, et al. H. B. No. 28.

A BILL

To Be Entitled

An Act validating and approving all proceedings had by cities and towns in the issuance and sale of revenue obligations under the provisions of Articles 1111 to 1118, Revised Civil Statutes of Texas of 1925, as amended, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administrator of Public Works, or any other governmental agency, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds; providing this Act shall not apply to any proceedings or obligations, the validity of which has been contested in any pending suit or litigation, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all proceedings heretofore had by the governing bodies of all cities and towns, including home rule cities, in the State of Texas, in the issuance and sale of revenue bonds, notes or warrants issued under the provisions of Articles 1111 to 1118, Revised Civil Statutes of Texas of 1925, as amended, to aid in financing any undertaking for which a loan or grant has been made

by the United States through the Federal Emergency Administrator of Public Works, or any other agency or department of the Government of the United States, are hereby in all things fully validated, confirmed, approved and legalized, and any such bonds, notes or warrants heretofore sold, or heretofore authorized but not yet delivered, are in all things fully validated, confirmed and approved, and such bonds, notes or warrants are hereby declared to be the valid and binding special obligations of such cities or towns payable from sources other than taxation. All orders, resolutions and ordinances authorizing the issuance of any such revenue bonds and setting aside and pledging the revenues of any light system, water system, sewer system or sanitary disposal equipment system, natural gas system, parks or swimming pools, either or all are hereby in all things validated, confirmed and approved, and the fact that any city or town in the issuance and sale of any such obligations or in the pledging of the revenue of any of said systems to the payment of such obligations failed or neglected or lacked the power to do all things necessary to make said obligations legal shall in nowise impair such obligations nor the pledge of such revenues but same are in all things validated, confirmed and approved.

Sec. 2. Provided however, that the provisions of this Act shall not apply to any such proceedings, or any obligations issued thereunder, the validity of which has been contested or attacked in any pending suit or litigation.

Sec. 3. The fact that many cities and towns in the State of Texas have authorized the issuance of revenue bonds, and, in some instances, by inadvertence or oversight, the requirements of law have not been fully complied with, and the further fact that on account of unemployment the immediate relief of citizens may be had by the issuance and sale of such bonds create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, October 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 29, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other Agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Vice-Chairman.

By Knetsch.

H. B. No. 29.

A BILL

To Be Entitled

An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That all proceedings heretofore had by the governing bodies of all cities and towns, including home rule cities, in the State of Texas in the issuance and sale of

bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administrator of Public Works, or any other agency, department or division of the Government of the United States of America are hereby in all things fully validated, confirmed, approved and legalized and all bonds issued thereunder are hereby declared to be valid and binding obligations of such cities or towns, and all bonds which have been heretofore authorized for said purpose but not yet issued shall, when delivered and paid for, constitute valid and binding obligations of such city or town. All tax levies made by such governing bodies for the purpose of paying the principal of and interest on such bonds, notes or warrants are hereby in all things validated, confirmed, approved and legalized.

Sec. 2. Provided however, that the provisions of this Act shall not apply to any such proceedings, or obligations issued thereunder, where the validity thereof has been contested or attacked in any suit or pending litigation.

Sec. 3. The fact that many cities and towns in Texas have authorized the issuance of bonds and have levied taxes in payment thereof, and, in some instances, by inadvertence or oversight, the requirements of law have not been fully complied with, create an emergency and an imperative public necessity, that the Constitution Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Minutes of Committee Meetings.

Minutes of Senate Finance Committee, Held Oct. 3, 1935.

Called Meeting.

Present: Redditt, Beck, Burns, Holbrook, Isbell, Martin, Neal, Nelson, Sanderford, Small, Stone, Sulak, Van Zandt and Woodruff.

Absent—Excused: Hill, Hopkins, Hornsby, Oneal, Poage, Rawlings and Regan.

H. C. R. No. 5, reported favorably and be not printed.

S. B. Nos. 40, 43, 35, 37, 32, 46, and 47, reported favorably and ordered printed.

REDDITT, Chairman.

Minutes of Committee on State Affairs, Held Sept. 30, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Oneal, Rawlings, Regan, Redditt, Shivers and Sulak.

Absent—Excused: Fellbaum, Moore, Stone.

S. B. No. 33 was reported favorably with the recommendation that it pass and be not printed by a viva voce vote.

S. C. R. No. 2 was reported favorably with the recommendation that it pass and be not printed by a viva voce vote.

S. B. No. 26 was reported favorably with the recommendation that it pass and be printed by a viva voce vote.

H. B. No. 36 was reported favorably with the recommendation that it pass and be not printed by a viva voce vote.

ELIZABETH SUITER,

Secretary.

Minutes of Committee on State Affairs, Held Oct. 1, 1935.

Regular Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Oneal, Rawlings, Regan, Redditt, Shivers and Sulak.

Absent—Excused: Fellbaum, Moore and Stone.

H. B. No. 18 was discussed, but no action was taken on it.

ELIZABETH SUITER,

Secretary.

Minutes of Committee on State Affairs, Held Oct. 2, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Oneal, Rawlings, Regan, Redditt, Shivers and Sulak.

Absent—Excused: Fellbaum, Moore and Stone.

H. B. No. 18 was discussed but no action taken.

ELIZABETH SUITER,
Secretary.

Minutes of Committee on State Affairs, Held Oct. 3, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Oneal, Rawlings, Regan, Redditt, Shivers, Stone and Sulak.

Absent—Excused: Fellbaum, and Moore.

H. B. No. 18 with Committee Amendments, was reported favorably with the recommendation that it do pass and be printed by the following vote:

Yeas: Blackert, Collie, Cotten, DeBerry, Isbell, Martin, Oneal, Shivers, Stone and Sulak.

Nays: Holbrook, Hopkins, Rawlings, Regan, Redditt and Small.

S. C. R. No. 4 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

ELIZABETH SUITER,
Secretary.

Minutes of Committee on State Affairs, Held Oct. 4, 1935 at 9 a. m.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Oneal, Rawlings, Regan, Redditt, Shivers, Sulak and Stone.

Absent—Excused: Fellbaum, and Moore.

H. B. No. 52 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

S. B. No. 39 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

S. B. No. 14 was reported with the recommendation that it do not pass, but that the committee substitute in lieu thereof do pass and that the substitute only be printed, by a viva voce vote.

ELIZABETH SUITER,
Secretary.

Addresses.

The following addresses were delivered in joint session held October

7, 1935, and are printed in the Journal by authority of a motion made and adopted at that time.

Reconstruction Finance Corporation Resolutions.

Whereas, The members of the Board of Directors and the officers of the Reconstruction Finance Corporation have received invitations to be present at the dedication, by the Senate of Texas, of the painting of Honorable Jesse Holman Jones, at the State Capitol, on Monday, the seventh day of October, Nineteen Hundred Thirty-five; now, therefore, be it

Resolved, That the Board of Directors of this corporation regrets the inability of its members and its staff to attend the dedication because of the pressure of official duties; and be it further

Resolved, That the members of the Board of Directors express to the Senate of Texas their deep appreciation of this recognition of the distinguished public service of the beloved Chairman of this corporation, a son of Texas who belongs to the nation, and whose outstanding qualities of character, patriotism and leadership, and whose signal ability have contributed immeasurably to the solution of vital problems that have confronted our country in one of its greatest crises; and be it further

Resolved, That these resolutions be spread upon the minutes of this board, of this, the thirteenth day of September, Nineteen Hundred Thirty-five, and an engrossed copy thereof, signed by the members of the board, be transmitted by the Secretary, under the seal of the corporation, to the Senate of Texas.

CHARLES B. HENDERSON,
Director,

HUBERT D. STEPHENS,
Director,

CARROLL B. MERRIAM,
Director,

FREDERICK TABER,
Director,

CHARLES F. SCALES, JR.,
Director,

T. JEFFERSON COOLIDGE,
Director.

Attest:

GEORGE R. COOKSEY,
Secretary.

Address of
Lieut. Gov. Walter F. Woodul.

Mr. Speaker, Governor Allred, Mr. Jones, Gentlemen of the Forty-fourth Legislature and Friends:

We are gathered here this afternoon in joint session for the happy purpose of paying compliment to our distinguished fellow citizen, the Hon. Jesse Holman Jones. As you all know, this occasion sprang from a thought left with us the past spring by that greatly beloved, the lamented Will Rogers. I had the pleasure of breaking bread with Mr. Rogers and the Governor's family that night, and he told me we ought to place a painting of Mr. Jones in the Senate and that if we would do so he would be most happy to be present and speak to us. To our sorrow, and the sorrow of the world, Will Rogers cannot be with us except in spirit. I am going to ask all to rise in silence for a moment in reverence for that great American.

In honoring Mr. Jones today, in connection with the unveiling of his painting, we are but honoring ourselves. As Mr. Rogers told me, we Americans ought to reward the services of our patriotic public servants while they are yet alive. I am certain if we would do more of this it would bring forth more good men into public service. It is so easy to condemn and criticize until now it is really difficult to interest men in the public service.

To me this event is a peculiar pleasure. I have known Mr. Jones many years, have studied his traits of greatness, and with you all have applauded his accomplishments. He is human, intensely so—he even had the hives this spring.

As virtual dictator of the Reconstruction Finance Corporation, that ten billion dollar government corporation, he has perhaps accomplished more for the permanent recovery of this nation than any other man in this country. It is the one recovery organization the administration of which is praised by all men in Washington and elsewhere, be they little or big business, Republican or Democrats.

As one born in grand old Texas, with my own son likewise fortunate enough to be born here, I am intensely interested in Texans bringing recognition to this great Lone Star State

of ours. My friends, Texas grows men as great as those grown any place. And so when Jesse Jones makes the world sit up and take notice of his many splendid achievements it sheds lustre on our great State and upon you and me and our children. May we never fail to cheer the efforts of such illustrious men as John Nance Garner and Jesse Holman Jones.

Now my friends just as the great Houston, Austin, Crockett, Bonham, Travis and Burnett came from other states of the Union, but, in coming to Texas became a part of it, so came the great Jesse Holman Jones from Tennessee. So in selecting speakers for this occasion your committee went abroad and sought the help of the great State of Kentucky, and she sent us her favorite son, a distinguished statesman of the nation and of the world, and a close friend of our own Mr. Jones, the keynoter of the last Democratic National Convention, the Senator from Kentucky, Senator Barkley.

Address of
Alben W. Barkley
of Kentucky.

Governor Allred, distinguished guests, ladies and gentlemen:

I am greatly complimented by your invitation to participate in these ceremonies in honor of a great Texan and great American.

Though I delight always to take advantage of any opportunity to visit this great State, to which I am bound by many ties of blood and association, I doubt whether I could have laid aside my duties at home to come here but for my friendship and admiration for the man in whose honor we are here assembled.

The history of Texas is a history of romantic development and achievement.

East of the Mississippi River, Kentucky occupies the unique position of having been the first state carved out of the wilderness west of the Alleghany Mountains. Upon her virgin soil, inspired by the beauties which nature had bestowed, George Rogers Clark, a lad of twenty-three years, led a little band of pioneers across the Ohio in the northwest, rescued an empire from the British and made the Mississippi River the western boundary of the infant republic.

Then followed soon the purchase of Louisiana from Napoleon by Jefferson, which added another empire to the domains of the new nation, opened the Father of Waters to navigation and control, thus opening the door for the blazing of the most majestic and resistless trail that ever wound its way across the bosom of a continent.

Men and women from the East in their ceaseless search for the western horizon converged at a point which is now St. Louis; and led by such men as Merriweather Lewis, William Clark, John C. Freemont, Kit Carson and Sam Houston, they spread across the mid-continent like the opening of a great fan.

When they had settled it and paused to view their handiwork, they saw a people engaged in the arduous process of solidification; they saw a people, sprung from every race, cherishing ancient traditions, fusing into a great American Type of man not hitherto known in all the world; they saw that people striking at and abolishing every vestige of tyranny from which the generations of men had suffered; they saw that people build there a political fabric founded upon the doctrine of universal equality in the enjoyment of the rights of free and independent men and women.

In the formation of this territorial and political conception of generations, Texas played then, as she now plays, a major part.

The Texas revolution in which this vast commonwealth established her independence from Mexico drew from everywhere the restless spirits that longed for adventure. It drew, has always drawn and still draws to its spacious borders those who still seek the romance and freedom of the open spaces where nature may be both loved and enjoyed.

Thus your great state in a period incredibly brief as time is measured, and by methods wrought out of the ores of their experiences, has builded here a civilization, a social order, and a concept of liberty not excelled anywhere on this earth. Your state has contributed to the list of great sons and daughters whose services in the fields of education, business, religion and government have raised the standard of life for the whole nation.

You were among those who first dedicated themselves to the establishment of constitutional government, and your sons, whether in public or in private station, are aiding in the battle to perpetuate it.

But when I use the term "constitutional government," I do not mean that sort of government which permits a few to use it as stirrup by which to mount the backs of all the rest. I am using the term "constitutional government" in the sense in which it was used by Thomas Jefferson and Abraham Lincoln, and in which it is being used and appointed today by the great leader of our nation, President Roosevelt.

We have heard much disputation in these days of controversy concerning the interpretation of our National Constitution. There is a type of mind that revolts at everything that is new. There is a type of mind that looks with suspicion upon any change, modification or method in the use of the instrument of government in behalf of the people, but these constitutional builders of hurdles and handicaps are no innovation in our history.

When the Constitution itself was under consideration and had been submitted to the states for ratification, there were those who predicted that if it were adopted it would destroy the liberties for which the American revolution had been fought.

Those who wrote it realized that it was not a perfect document because at the first session of Congress after its adoption ten amendments were submitted and ratified, which have been known since as the Bill of Rights.

From that day to this lawyers, great and small, have engaged in fundamental controversies over its meaning. It has been amended from time to time by the people and will probably be amended in some fashion in the future if the people find such amendment necessary to accomplish the great purposes for which a free nation was established. During the last one hundred and fifty years in the interpretation of that great document the Supreme Court has declared some sixty Acts of Congress to have been in violation of the Constitution, but until the recent decision in the New York *Chicken Case* nobody ever dared to assume that

Congress or the executive were tearing the Constitution into shreds and destroying the great work of our forefathers. Although in the period from 1920 to 1930, the Supreme Court declared nearly a score of Acts of Congress to be unconstitutional, nobody expressed the fear that Congress was running amuck. But because one decision has been rendered declaring unconstitutional a part of the program of the new deal, we find strange voices proclaiming allegiance and their fidelity to the principles of Thomas Jefferson, lest we of our day shall destroy the Constitution of our country.

When we give thought to the adaptability and flexibility of our great Constitution we marvel at the foresight of those who wrote it. When they wrote the Commerce Clause not a steamboat had been invented, nor a railroad dreamed of. The motor boat, the motor car, the electric railway, the steam railway, the great steamship, the telephone, the telegraph, the wireless, the radio, the airship were not among the dreams of those who framed the Constitution. All the instrumentalities of transportation and of communication, which we now take as a matter of course, began their marvelous development half a century after the Constitution was written. We now realize that economically America is a unit. It cannot be divided into economic compartments for commerce like water seeks its own level and goes where it may find an opening regardless of artificial boundaries or barriers, and it is a tribute to our highest court that it has found a way in most instances by which to breathe into the Constitution the life and force which are necessary in the growth of a great nation as ours has come to be.

We are seeking to preserve the American Constitution, not as a piece of antique furniture to be set on the shelf in a museum where the people might look at it, but never use it. We are seeking to preserve it as a living, breathing, useful instrument of government under whose broad and ample folds the American people may solve their political, economic and social problems. And if now and then Congress in its efforts to recognize these problems and deal with them in a modern way, transcends the limitations of constitutional

power, it will be nothing more than what has happened from time to time during the whole history and growth of our republic.

It was under this Constitution that all of the Acts to regulate commerce and the instruments of commerce were enacted and are being enforced. It was under this Constitution that Congress sought to guarantee the purity of foods and drugs to be consumed by the people. It was under this Constitution that they were protected from exploitation by those who have sought to impose upon them spurious securities in corporations engaged in interstate commerce. It was under this Constitution that we have sought to protect labor from injustices and business from unfair competition and agriculture from collapse. It was under this Constitution that we have sought to establish and restore the people's confidence in their banking and financial institutions. It was under this Constitution that we have sought to protect those who feed and clothe the world from artificial speculation and manipulation in the price of agricultural products. It was under this Constitution that we have sought to broaden the markets for American products in the seaports of the world. It was under this Constitution that we have endeavored to stimulate education and encourage the moral development of human character. It was under this Constitution that we have inaugurated effective control on land and water and in the skies, the communication of information throughout the nation and the world. It is under this Constitution, wisely and liberally interpreted, that we are now seeking to lift the American people from that despondent hopelessness into which they were plunged by the folly of recent years.

It is under that Constitution that we are seeking to provide a way by which the American citizen who wants to work may have work, every child who wants an education may have an education, and every man or woman, regardless of politics, color or religion may look forward with some degree of assurance to the lessening of the hazards of old age and unemployment.

I cannot here on this occasion recount these efforts or the agencies which have been established in their

fulfillment, but I am justified today in referring to one of these agencies which has performed in its own peculiar way one of the greatest services ever performed in behalf of the American people. I refer to the Reconstruction Finance Corporation, whose chairman is here today to receive the honors of a great State which are to be so worthily bestowed upon him in the ceremonies now in process. The story of the Reconstruction Finance Corporation is a story of magnificent performance in a way never before conceived by any agency of our government. Since it was organized and established it has handled more than ten billion dollars, and has loaned to worthy institutions more than seven billion dollars. No other institution in all the world or in all history in a like or similar period has ever made available such a volume of credit to the institutions of the country which it has served.

It has made loans upon adequate security as authorized by Congress ranging all the way from five hundred dollars to one hundred forty-one million dollars. Its resources have been available to agriculture, to railroads, to banks, to education and to almost every form of organized activity throughout the United States during the last four years. It can truthfully be stated that through the Reconstruction Finance Corporation the banks of America, whether national or state, were rescued and set upon their feet and now constitute the strongest banking system this or any other nation has ever possessed. The Reconstruction Finance Corporation has made available a billion dollars to more than half the banks of the United States in the purchase of preferred stocks and another billion for the payment of depositors in closed banks throughout the nation. Through its loan to cooperatives and for the encouragement of export trade and agriculture, it has made possible the refinancing of agricultural obligations so that the farmers and those who cooperate with them might see the dawn of a better day. It loaned to the City of Chicago twenty-four million dollars to pay the salaries of unpaid school teachers, all of which was repaid within a few months. It made available to one single financial

institution in Detroit one hundred forty-one million dollars and to another in the same city a large sum by reason of which eight hundred thousand depositors in that great industrial city were paid in full. It has made available in addition to its direct loans through the agency of other departments of the government more than three billion dollars for use in the preservation and strengthening of our economic life. While the amount of money and credit made available to American industry, finance, agriculture and labor has been far beyond the amount ever handled by any other institution in the history of the world. It is to the credit of those who have managed this great Corporation to say that there will be no loss to the taxpayers because of the activities in which it has engaged. This is a record of which not only the chairman and his associates in the Corporation may be proud, but it is a record of which the American people may likewise be proud.

All of this has been done without the breath of scandal having been blown in the direction of this institution. None of its efforts to serve the American people have been marred by the suspicion of graft or of dishonesty in any of its branches. I believe it can be truthfully stated that the Reconstruction Finance Corporation has been the outstanding governmental agency which built a new foundation under the industrial financial and economic life of the nation. It gave new hope and a breathing spell to great industrial corporations on the verge of collapse. It breathed new life into the nostrils of our banking system and new confidence into the hearts of those who patronized them.

It is always dangerous to say that any man is or ever was indispensable, but I have no hesitation in saying that no man in America could have brought greater experience, greater devotion, greater loyalty, greater vision or determination to the administration of this great trust than your fellow Texan and my warm friend, the Honorable Jesse H. Jones.

I need not here recount his virtues, but I might illustrate the magnitude of the service which he has rendered by quoting a conversation engaged in by two men recently in one of

our great cities. One of them said to the other, "Where is Washington?" The other one replied, "He's dead." "No," said the first, "I mean where is the capital of our country," to which the other replied, "Jesse Jones has loaned it all out." He might have added that Jesse Jones is always collecting it all back, which in these days is no mean accomplishment.

Not unlike the controversy ranging around the birthplace of Andrew Jackson, there has been some dispute as to where Jesse Jones was born. He has told me over and over again that he was born in Kentucky. He tells all Kentuckians that, but when he's with Tennesseans he tells them he was born in Tennessee. But whether born in Tennessee or Kentucky, he lived in both states and at an early age left one or both and found his great constructive future in the State of Texas. From the humblest of beginnings he has become a great figure in the industrial and financial life of the nation. His experiences in private life qualified him immeasurably for the duties of public office which have in recent years befallen him.

With all of this vast opportunity and vast power he has not lost the common touch. He can sit across the table with the financial magnates of the nation without embarrassment. He can sit in conference with the humblest farmer and the humblest laborer with a sympathetic understanding of his problems. He can catch the vision which inspires the school teacher who is moulding the manhood and womanhood of the future, and recognize that they have their economic problems no less than the great financier or the great executive.

When the history of this depression has been written and the recovery in which we are now undoubtedly engaged shall become a memory the work of the Reconstruction Finance Corporation and the name of Jesse H. Jones will be inseparably linked in the hearts of a grateful people. This gratitude will be felt and expressed not only toward their government, which is an impersonal thing, but it will be felt and expressed toward those great personalities who have combined to re-establish the faith of the American people in the integrity of their insti-

tutions and in the future of their great country. Among this list the name of Jesse H. Jones will shine with a fulgence not soon to be dimmed. His services to his country will be remembered long after the bitterness of controversy has disappeared and long after the bitter experiences through which we have gone have been resolved into firmer and more permanent conception of the duty of government toward the people and of the people toward their government. I am happy to have been a part of these ceremonies in honor of a man who along with a host of other great Texans, whom I need not now recount, will take his place permanently in the annals of Texas and American history.

Address of
Hon. Frank Andrews.

Mr. President, Mr. Speaker, Senators, Representatives, Ladies and Gentlemen:

We have met here today to honor the Honorable Jesse Holman Jones, one of the most distinguished sons of Texas.

Mr. Jones did not have the good fortune to be born in Texas, but he had the good sense, the initiative, the foresight to become a Texan at the very beginning of his wonderful business career.

He is a native of the heroic State of Tennessee. Texas stands indebted to Tennessee for many of its greatest sons. From that State came the immortal Houston, the intrepid Crockett, John A. Wharton, said to be the keenest blade at San Jacinto, and John H. Reagan, a member of the Confederate Cabinet and one of the greatest statesmen and patriots of our times; and also came a great number of the dauntless spirits of that State who participated in the Texas Revolution and shed their blood to shake off the yoke of tyranny and oppression, smothering coils were strangling the Anglo-Saxon life of Texas and whose hypocritical promises were made only to be broken. Tennessee took no mean part in the winning of our independence, and the establishment of our liberties, nor in the building of the Lone Star Republic, and her sons have held an equal place of honor in the progress and development of Texas as a State.

Among the most prominent of those who have been in the forefront of the battle for the advancement of our State and its material interests in the last quarter of a century stands our Guest of Honor. Big of body, big of mind, big of heart, broad in his views for the common good, unselfish in his public work, devoted to the interests of his adopted State, and Master of the game of Politics, yet he has never sought nor accepted office at the hands of his home people. He has given, without cost, to the public service and for the public welfare the whole of his unselfish ability. At the solicitation, respectively, of two Presidents, he has given his time, his energy, his experience, and his ability to the problems of his country's rehabilitation in the great office which he now fills. It has been said by a friend of the President, who urged the appointment of Mr. Jones as Secretary of the Treasury, that the President said that he could not make the appointment because Mr. Jones was needed for the Chairmanship of the Reconstruction Finance Corporation; that it was the most important office within the presidential appointing power and would be the most important position in the recovery administration, and that the work of Mr. Jones as a member of that body had demonstrated his incomparable capacity for the work of the chairmanship; that the country could not afford to lose his services in that important position; that the position was too important a part of the Administration's recovery program to trust it to any but the ablest man available for the work.

That Mr. Jones is an Executive of the highest type Texans generally have known for many years. He needed only the opportunity to demonstrate to the Nation that he is also a Statesman of the highest type. This opportunity came to him and his work has been such an outstanding accomplishment that he is today a world figure and a national character.

In private life he has been a great Builder, as all Texans well know; and the monuments of his aggressive and persistent courage appear in modern buildings in almost all of the important cities of Texas. He

had faith in Texas, faith in her cities and confidence in her people, and when people with money had conservative chills and wanted to return to "horse and buggy days," he specialized in skyscrapers and not only built them lavishly in his own home city, but built them in almost every other important city in Texas.

When the people of Houston wanted to bring the Gulf of Mexico fifty miles inland to establish an ocean-going waterway, with a land-locked harbor for the adequate protection of water traffic and for the benefit not only to Houston, but of the great Southwest, his genius, his time and his efforts were given freely to the initiation and development of plans for that purpose, and he never wavered, but kept on in the forefront of the struggle with the other great Houstonians until this wonderful dream came true, as a result of which Houston today—fifty miles from the Gulf—has a perfect water way for ocean-going vessels, and has become the second export port in value and tonnage in the United States.

In public life he has been a great Builder for his State and his country; a Builder of both material and spiritual things.

As a newspaper publisher, publishing one of the greatest afternoon newspapers in the whole country, he has been an unselfish advocate of those things which are for the betterment of his State, of his country, and of humanity, and more especially has he stood for the rights of the Brotherhood of Man and the "Forgotten Man" has not escaped his earnest, thoughtful and kindly solicitude.

His first important public work was a world-wide service for the Red Cross, which he was delighted to render without compensation and without hope of reward. This was not a service to the great, nor to the near-great, but was a service to the lowly, the needy, the destitute, the wounded at the battlefield, and the widows and orphans of those "unknown soldiers" of our army who gave their lives to make our country safe for Democracy and to save it from Hittlerism. At the earnest solicitation of our great war President he accepted the management and di-

rection of all Red Cross activities in Europe during our participation in the war, and so well and so successfully did he handle these troublous and extensive duties as to earn and receive the unstinted praise of each European country and also the grateful appreciation of President Wilson. No man in the Wilson Administration had more fully the confidence of the President and, few if any, had so completely the deep love and personal affection which that great man gave to this friend. To this Red Cross service he gave his entire time during the World War, and continued it until our soldiers had been returned home, and then, like the good soldier that he is, he also returned home and began the work of rehabilitating his own affairs, which he found madly shattered and nearly wrecked in the three years of his absence.

In 1932, when the whole country was staggering from the baneful effects of financial disaster, superinduced by too cheap credit, too great optimism, and too reckless disregard for pay day and its inevitable consequences, when his private business, large, varied and complicated, needed every ounce of his energy and every effort of his initiative and constructive genius, he with much reluctance and with great disadvantage to his own personal interests, accepted membership on the Board of the Reconstruction Finance Corporation, because it seemed to offer some hope to the country as a factor in the work of relief from the cataclysm of too much prosperity. By March fourth, 1933, experience had fully demonstrated that the Reconstruction Finance Act was not broad enough nor liberal enough to accomplish the purposes desired, and an amended Act was passed by Congress as a part of the President's National Recovery Program, and this great Texan was not only made Chairman of the Board, but was brought into closest touch with the President's whole program of emergency relief and with his Recovery Administration. To him, more than to any one man, is due the now famous "Bank Holiday." This Act saved the country from chaos, saved the business of the country, saved billions of dollars to bank depositors,

and in saving the little banks of the country saved the small pittances of the men and the women and the orphan children of the county who would have been destitute without it.

He had already gone through the terrific struggle to save the banks of his own beloved city of Houston, and after many all-night vigils of conferences, plans, counter-plans, and objections, he emerged triumphant, his plans were adopted and carried out, without a single bank failure in that great city; and of the fifty to seventy-five men who participated in those conferences every one will tell you that it was the financial genius, the aggressive force, the unceasing and unyielding struggle for success, the driving power that would not be stayed, and the unselfish personal sacrifice of Jesse H. Jones that carried that program through and left the city's banks unscathed, and no depositor lost a cent or was denied his cash on demand for the amount of his deposit. This program saved also many scores of small banks in Houston territory that deposited with the Houston banks, and were thereby dependent on Houston banks with the payment of their own depositors.

This big Texan has been in the thick of all this fight for relief and has helped the President carry the public burdens without evasion of any responsibility on his part and without the variableness or shallowness of turning.

When commercial greed sought to subordinate patriotism, patriotic ideals, and patriotic memories to financial advantages, by denying to the Alamo, to Goliad, to San Jacinto, to Gonzales, to Concepcion, to San Felipe, to Old Washington and Brazoria, and to other sacred shrines and hallowed soil in the State of Texas, a just share in the division of the Federal donation for an appropriate celebration of the Texas Centennial, it was Jesse Jones who appeared before the United States Commission for the Texas Centennial having charge of the distribution of the Federal appropriation, and sought to prevent the strangling of patriotism under the plea of the necessity for a bigger and a better show. It was his masterful pres-

entation, his unchallenged array of facts, his patriotic zeal and fervent love for all of Texas' sacred shrines that won proper recognition for the memory of the deathless dead of the Alamo, of the heroes of Goliad treacherously slaughtered under a flag of truce, and of the triumphant battlefield of San Jacinto, where the Alamo and Goliad were avenged where a new Empire under the Lone Star of Texas came into being, and where a third of what is now the territory of the United States was wrested from tyranny and won for civilization. For more than a quarter of a century, whenever there has been a patriotic service to be performed, he has enlisted without hesitation and has delivered the hardest blows in the thickest of every fight, and he has always placed patriotism high above self, and our sacred memories of hallowed ground above all price.

May I digress from my subject for a moment

The public mind seems greatly inflamed, without adequate cause, on account of the supposed attitude of the National Administration toward the Constitution and the Supreme Court. I yield to no man in my devotion to the Constitution or the Supreme Court of the United States, and in upholding and in sustaining them to the extent of my ability, at all times and under all circumstances, and in supporting the traditions of that great Tribunal. I challenge every citizen of our common country to uphold the Constitution and sustain the Supreme Court as the last bulwarks of our liberties. When either fails, we must cease to be a government of laws, and become a government of majority only, of anarchy, of communism, of mob rule, of chaos, of sovietism, of Hitlerism, of the unreasoning will of the mob, or of the sinister will of a dictator. But before we challenge the good faith and fidelity to the Constitution and the Supreme Court of our President, though he may have seemed peeved and disappointed, before we give way to fear of calamitous visitations from the acts of the National Administration and the chill of apprehension of our country's disaster, let us pause long enough to look back and consider conditions as they existed on the

fourth day of March, 1933, and compare them with the conditions of today, and then let us give honor to whom honor is due.

Mr. Jones, the distinguished artist with a skilful brush, a discerning eye, and an accurate hand, has painted your image upon that canvas, that it may there endure for ages. The Senate of Texas has caused it to be done, that it may be hung in the Senate Chamber of our great Capitol Building, as a permanent and fitting memorial evidencing in some small degree our great appreciation of your public services for our country and our State, so that future generations may look upon that image and know something of your life and work, and so that the ambitious youth of our State so looking may learn the story of your life and be inspired to emulate your splendid example. But let me assure you, sir, that there is another and a more personal and a more spiritual thought about this image than the one painted upon this canvas, and that is the thought that through your unselfish and incomparable work for your country, through your kindly consideration and individual generosity, through your needful help and friendly advice, through your unknown and unostentatious charity to the people of all classes and conditions of life, you have engraved your image ineffaceably upon the hearts of many citizens of your State and country. The painted image may fade, the canvas may be destroyed; but I am persuaded that where your image, through love and kindness and unselfishness and generosity and helpfulness, has once been graven upon a grateful heart, no power can ever erase or destroy it, and that the love of a kindly act and an unselfish deed may yet live through inheritance in the hearts of unborn generations, and that time can never efface nor obliterate it, and that the good you have done will live after you.

Address of

Col. Ernest O. Thompson.

Mr. President, Distinguished Guests:

It is not often we have an opportunity to publicly thank a servant of the people for distinguished services rendered his State and Nation.

We are today assembled in our State Capitol to honor a Texan who

has achieved distinction through long, hard and generally thankless effort.

Although he is a true Democrat and a party leader, he has served ably under a Republican regime as well as in the present depression banning Democratic administration. He led the advance guard in this drive to return prosperity to our people.

Others will tell you about his efforts in the Democratic party and his brilliant handling of the rehabilitation of our railroads, the banks, and the general industrial plant. They will also relate his Red Cross work during the war.

It is my proud privilege, however, to tell you of a big job he did that I believe has never been disclosed. When we were up in Washington fighting Federal oil control we needed every bit of help we could get. There were times when it looked gloomy and we needed advice and counsel. On those occasions we went to our friend, Jesse Jones, and always he gave an attentive ear and words of encouragement and direction which enabled us to defeat this effort to take from Texas the control of her oil and gas.

He believes that our natural resources should be so handled that there shall always be free opportunity to the youth of our land to start out in a small way and grow. His life is an example of this doctrine.

Lieutenant Governor Woodul: We are always glad to hear from the red-headed colonel. Now, as all we Texans know, we have two red-heads in the State government, another one who was also a fighting colonel in the army days; and this red-headed colonel made a remark right from the shoulder—he said something about the fitness of the honor guest of today to be President of these United States one of these times; and we are going to let this red-headed Attorney General, Bill McCraw, speak very briefly. Will you come up, Bill? (Applause.)

Remarks of

Honorable William McCraw,
Attorney General of Texas.

My friends, it is very fitting that I should be placed on this program for the unusual reason that I am

the only office-holder in the history of Texas who was not born on a farm. I didn't know who "Beck" was until I got out among the sovereign voters. (Laughter.) I was born in a city, and grew up under the arc lights, so representing the arc light element, the boys who sometimes have been known to embrace sin, and whose environments are not always the most holy, let me come representing that tremendous majority of the people—the sinners.

Now, this old boy from North Carolina,—I don't know him, but I like his name—I have never gotten over the Joe Bailey of our State, I am still for him—I want to say that form the Carolinas comes really the kind of tribute I like to hear paid to Jesse Jones.

Jesse Jones is the kind and type of man who, when the mantle falls from the shoulders of Franklin D. Roosevelt, can well and honorably bear the responsibilities and honors and trusts of that highest of offices. Surely, of all the Texans who have served in this generation there are none greater, and certainly there are none for whom the people have more confidence and trust, than Jesse Jones. I hope that the eyes and hearts and minds of America will turn towards Houston, and when they do they will see this splendid figure, this great man, who is not just a Texan but a great American. I hope the day will come when in our hearts we may again honor him, not here, but in our hearts we may honor him as he rides down Pennsylvania Avenue and hears the band playing "Hail the Chief." Again, Texas will indeed be happy in the thought that its contribution then will be a worthy one. I wish I had the eloquence to pay the tribute to Jesse Jones that he so eminently deserves. He laid his hand upon business when it was tottering and gave it new life and strength, and gave to the Administration character, life, brilliancy, and integrity. He is an honor, not just to Texans, but to all Americans.

I know the heart of this good woman who is joined to him by the God who made us all, and I only regret that there are no lips eloquent enough to pay the proper tribute to integrity, devotion, and to matchless

judgment, such as mark the course of this great Texas couple.

You are in the household of your friends, who love you with a devotion that reaches beyond human words. (Prolonged applause.)

Lieutenant Governor Woodruff: Now, right at this point wouldn't it be proper in this Capitol of Austin and the District of the distinguished member of and chairman of that powerful and potent committee of the House of Representatives in Congress known as the Appropriation Committee to hear from that gentleman? We are honored here today with having the Congressman from this district, Representative Buchanan, and we are going to hear from him very briefly. Representative Buchanan.

Remarks of
Congressman J. P. Buchanan.

Governor, Mr. and Mrs. Jones, Ladies and Gentlemen: I was not on this speaking program, and did not expect to speak. However, that may be, it is a distinguished pleasure to me to take part in any proceedings to do honor to a great public servant who deserves that honor. We have heard from Senator Barkley of Kentucky, the silver-tongued orator from Kentucky. He has made an enviable record in Congress, and his name will go down in the annals of the Nation as a real patriot and a real statesman. He discussed at length the Constitution, and I will dwell but shortly on it. You know the Constitution to me is like Old Time Religion; it was good enough for Paul and Silas, and it's good enough for me. (Applause.) And that Old Constitution was good enough for Mammy and Daddy, and it's good enough for me. Well, he discussed great accomplishments under that Constitution, being sometimes in peace, and sometimes in war; but he left off, in my judgment, the greatest thing contained in that Constitution. It was, Mr. Jones, under that Constitution that places in the hands of every boy and every girl of this land the weaving of his own destiny; it is under that Constitution that the so-called farmer boy has instructed himself, located himself, preserved himself, lived for his fellow-man that he may live for him. It was under that Constitution that

Mr. Jones has marked out his great career in government. Wherever it goes and opens up the opportunities to the youths of this land and enables them to rise to such heights, it is good enough for me. (Applause.)

Now, there is a little controversy that arose here as to where Mr. Jones was born, whether in Kentucky or Tennessee. What credit to them is it where he was born? He couldn't help it. (Laughter.) They deserve no credit. Where did he spend his early manhood? Where was he surrounded by those influences that made him great? Where did he fight the trials and tribulations of early life and of mature life? Texas furnished him the opportunities and the surroundings that enabled him to make himself great, and Texas deserves all of the credit. (Applause.)

You know the Refinance Corporation Act was passed in a previous administration, and the then President of the United States went down here to Houston, which either is now, or will be a little suburb of Austin, and picked Jesse Jones to be on that Board; and, ladies and gentlemen, that is the only act in Hoover's entire administration that I can unqualifiedly approve. (Applause and laughter.)

Let me tell you a little incident—I don't know that I ought to repeat these confidential conferences; but we passed a relief bill carrying \$4,880,000,000; passed it for the purpose of getting the Federal Government out of the dole, and it must get out of the dole if we are to survive in the long run. When it went over to the Senate where Senator Barkley was, they started to investigate and they started to talk, and they talked for about seventy days and all of the available money for relief to relieve actual suffering among the people was exhausted during the period that the Senate deliberated on this relief bill, and the President was put to it to find money to carry on relief, and to relieve the suffering among the people, especially women and children. We had a conference at the White House, trying to find money somewhere available to be legally used, and the President called in Jesse Jones. And he said, "What am I to do?" Mr.

Jones says to the President, "I have in profits and collections, and interests and profits, five hundred million dollars on hand that I can loan you to relieve the suffering among the people of the United States." The President says, "God bless you, Jesse." (Applause and laughter.)

Let me tell you one word about your President. I state to you, and he will verify it, that the President has the greatest combination of mind and heart of any man who has ever occupied that exalted station in the history of our country. (Prolonged applause.) I state, without hesitation or fear of contradiction, that he is the greatest living humanitarian in the world today. (Applause.) If he has one fault for which he could be criticized it is being too liberal in his efforts to relieve distress, and to relieve and recognize the Forgotten Man.

Now, I am not going to take any more of your time. I want to say to you, Mr. and Mrs. Jones, it is an extreme pleasure to me to participate in these proceedings. I want to say to the Lieutenant Governor here that I appreciate his acknowledgment of my presence here today, so that I could pay my tribute to Mr. Jones. Let me say this, I am acquainted with the governmental departments in Washington; it is my duty to be acquainted with them; and it is my duty to review the expenditures; and it is my duty to provide the appropriations to permit them to continue to function as governmental agencies. Let me say to you that if there is one department in Washington where sterling integrity, and where strict honor has been always applied to the public's business, it is the Reconstruction Finance Corporation under Mr. Jones. (Applause.) And the best thing about it, it is the only governmental department where we get back all our money and some interest. (Laughter.)

Now, I thank you, ladies and gentlemen; and I wish for you, Mr. and Mrs. Jones, a long life, and I do so in an abiding faith that the enviable, the splendid, the unexcelled record you have made will be only added to by your continued future service. May you rise higher in your service of the people of this Nation. I thank you. (Applause.)

Address of

His Excellency, James V. Allred,

Governor of Texas, at the unveiling of Jesse H. Jones' portrait in Senate Chamber, October 7, 1935, Austin, Texas.

All Texans thrill with pride in this opportunity to claim for their own one of the nation's great leaders. This is an historic occasion upon which we may attempt to gather up for future Texans the heritage of a man's achievements which rebound to the lasting credit of Texas and the nation.

In a single generation this country has faced two of the greatest crises in history—the World War and the economic catastrophe following 1929. Each threatened to destroy the happiness and welfare of our people.

Heroic measures, tempered with a spirit of sacrifice, were necessary to conquer common enemies, one beyond, the other within our boundaries. Great leadership, unselfish and wise, was required to guide our people in those titanic struggles.

It is such eras as these in history that produce a Woodrow Wilson or a Franklin Delano Roosevelt to lead the people. But the task was too great for them alone. They therefore obtained the aid and counsel of other great men of the nation.

We, in Texas, are justly proud of the patriotic brilliant service rendered in the first great crisis by Burleson, Gregory, Houston and House. On the nation's roll of honor their names are written high.

In the days ensuing since the World War, more and more Texas citizens have been called to leadership in national affairs. For the first time in history we gave our country a Speaker of the House of Representatives. In recognition of his extraordinary abilities the nation at large called him to higher service. That their faith was indeed well founded is attested by universal acclaim of our own John Garner as the greatest Vice President in all the history of these United States.

For decisive action, for business-like service in years of need, the name of Jesse Holman Jones ranks not only with these great Texans

but with the greatest of the nation. His record of public service is unique—an outstanding ability commanded alike by Woodrow Wilson and Franklin D. Roosevelt.

It is rare indeed when a man's genius rises above partisanship. When it does, he receives continued recognition through the years. Our honored Texas Democrat was drafted by a Republican President to serve on the Reconstruction Finance Corporation. He was promoted and was continued as the head of that great agency by President Roosevelt.

When one visits the office of the Chairman of the Reconstruction Finance Corporation there is no atmosphere of bureaucracy, no toilsome maze of red tape. The ease and dispatch with which he transacts gigantic business gives an air of simplicity to Herculean deeds.

Somehow I believe that Mr. Jones typifies best of all the Woodrow Wilson tradition. He has done much to sustain the honest idealism of our great war President. But in restoring vitality to a stunned and staggering economic system, Jones rendered his most conspicuous and useful service. In his capable hands was entrusted the disposition of billions of the people's money during the blackest depths of depression.

So great was his faith in the American people, in their institutions, so discerning was his judgment of men that he used those billions to revitalize an almost prostrate economic life. Under his administration hope and courage was substituted for despair in the industrial and financial life of the nation.

Jesse Jones' example of faith in America doubtless was largely responsible for the turn toward a returning prosperity for our people. Because of Jones our people now can see the light of a new and brighter day.

After all, the most devout wish of the people of our country is for security against the vicissitudes of life. That is the least that any humane government could vouchsafe. Jesse Jones has done more than his part to make that possible.

Personally and officially, I deem it a privilege to have a small part in this public recognition of a great Texan, a great American who has

truly served his country. As Governor, I wish to acknowledge the debt of gratitude that six million Texans are proud to pledge.

The sterling ability, the stalwart service rendered by this keen, this rugged Texan is most fittingly attested by a message of appreciation from our great President today. I am proud of this opportunity to read the following radiogram from President Roosevelt, now at sea aboard the USS Houston:

"Gov. James V. Allred,
Austin, Texas.

"When the portrait of Jesse H. Jones is unveiled in your State Capitol I hope you will express my pleasure and satisfaction in the recognition you are extending to one who has rendered valuable and loyal service to his country. Texas may well be proud of her distinguished citizen. The importance of his achievements will be more fully understood as time passes. I take pleasure in joining with you in proclaiming his virtues.

"Roosevelt USS Houston."

As we are privileged to personally honor Jesse Jones today as his portrait is here unveiled for future generations, no finer tribute could be paid him than the sentiments of all the people as expressed by our great humanitarian President.

Address of
Hon. Jesse Holman Jones

Governor Allred, Governor Woodul, Mr. Speaker, Members of the Texas Legislature, Honored Guests, Ladies and Gentlemen:

I am too overwhelmed, and too filled with emotion and humility, to be able to express the gratitude that fills my heart to overflowing, for the great honor that you pay me by these ceremonies, and that the Texas Legislature has paid me in having my portrait painted and hung upon these historic walls, along with the great men of this and former generations. It is an honor that I appreciate and value beyond words of expression, and one that I had little thought would ever come to me.

The speakers have been generous in their reference to my public service, and to me personally. I thank

them from the bottom of my heart. I am fully aware that every phase of this great compliment, is a public recognition of public service. Nevertheless, I like to feel that some of it is personal.

The fact that I am a Tennessean, and grew to manhood in that grand old volunteer state, from whence came Sam Houston and Davy Crockett, makes me none the less proud of being a Texan—by adoption. I love the traditions of Texas, and the memories of those great and heroic characters that made Texas history, and set standards of patriotism and citizenship that any generation will do well to emulate. The names and lives of Austin, Houston, Burnett, Fannin, Lamar, Bowie, Crockett, Bonham, Travis and others too numerous here to mention, will live as long as time. Names that came later were Ragan, Throckmorton, Roberts, and so on. To have my name linked with their's, even in passing, is more honor than I could ever have hoped for.

It has been my privilege to serve our Government and its people during the trying period of economic disorder from which we are just emerging. I have endeavored to discharge the responsibilities placed upon upon me, according to the law under which I have worked, but I hope, with an understanding of the trials and distress through which our people were passing. We at the RFC have never forgotten that it is public funds we are administering. Neither have we feared to take responsibility in meeting unusual and desperate situations.

To have met these responsibilities in such a way as to inspire expressions of public approval, in these critical days, is reward enough for any sacrifice. But there has been no sacrifice, except perhaps in the unusual hours and long days required. One could not have seen the distress that came our way without being willing to pay whatever price might be exacted in an effort to meet it. And I wish here to record that the operations of the Reconstruction Finance Corporation, have been the combined effort of as fine and efficient a body of men and women, and as patriotic, as I have ever seen. In my long experience in business, I

have never known of a more efficient organization; nor a more loyal one. It has been my privilege and responsibility to furnish leadership to this fine body, and in doing that, and to meet the manifold problems constantly confronting us, I have lifted my eyes to God in Heaven, every day, for strength and courage, and the intelligence to make the right decision.

I have been fighting this economic disorder, which we commonly term the depression, since this month four years ago. The fight started with me in my home town—Houston, October, 1931. Soon I was transferred to Washington.

I was called to serve under President Hoover. My sponsors were the then Speaker of the House of Representatives and now Vice President of the United States, John Nance Garner; and—the inimitable Carter Glass, senior Senator from Virginia, of whom President Roosevelt affectionately refers as an “unreconstructed rebel.”

I served my country with the same fidelity under President Hoover as under President Roosevelt. My responsibilities have been greater under President Roosevelt, because his responsibilities have been greater, and I have been his Chairman of this great organization. That I have enjoyed his confidence and unstinted support is a compliment which I prize very highly.

The Reconstruction Finance Corporation was set up under the former Administration and did what it could to stop the oncoming tide of economic disaster. But no power was great enough to prevent it. Our statesmen did not, and could not, realize the severity of the storm. It was unparalleled and the inevitable result, of the unwarranted and terrible destruction of men and property, by the World War.

It took courage, imagination and a dare-to-do—to arrest the downward plunge. These were given us by the election of Franklin Roosevelt, President. His was a most difficult task, and with the support of a courageous Congress, he has met it well, and let me say that the entire Texas delegation is a credit to our State and has supported the President whole-hearted—none more

effectively than Senator Connally and Congressman Buchanan.

The public money that has been expended, and given away if you please, has not been wasted. The money has not been burned up. No sooner does a hungry person receive a dollar from his Government than he spends it for food—it goes back into circulation. That we must alter this course, now that the danger has passed is recognized by President Roosevelt as it is by all thinking people. When you reflect upon the state of our minds, and our economic situation at the beginning of 1933, and then take stock today, the answer is obvious.

As one speaker has very kindly stated, I was also privileged to serve our country during the World War under another and matchless Democratic President, Woodrow Wilson, a great statesman, a great scholar, and a great man. Of our outstanding Presidents since the beginning of our Republic, we as Democrats, can be especially proud of Jefferson, Madison, Monroe, Jackson, Cleveland, Wilson and Roosevelt.

I am glad that I am a Democrat, because I believe the principles of the Democratic Party are more nearly the principles of volunteer America, and we are still volunteers.

As I look about me and see the leader of our party in Texas, Governor Allred; and Lieutenant-Governor Woodul, Commissioner Thompson, General McGraw, and you other young men who are in charge of our State politics today and tomorrow, I have greater confidence in the democracy of our party, and in its future.

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
October 8, 1935.

The Senate met at 11 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Will M. Martin.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Cotten.
Blackert.	Davis.
Burns.	DeBerry.
Collie.	Hill.

Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Shivers.
Martin.	Small.
Neal.	Stone.
Nelson.	Sulak.
Oneal.	Van Zandt.
Pace.	Westerfeld.
Poage.	Woodruff.
Rawlings.	

Absent—Excused.

Fellbaum.	Moore.
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Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Woodruff.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Bills and Resolutions.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Oct. 8, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

H. B. No. 83, A bill to be entitled "An Act fixing the compensation of district attorneys in judicial districts composed of two or more counties; providing that this Act shall not deprive such district attorneys of their expense allowance; providing for the disposition of fees; commissions and perquisites earned and collected by such district attorneys; etc., and declaring an emergency."

H. C. R. No. 10, "Providing for disposal of certain articles by the Board of Control."

H. C. R. No. 13, "Suspending Sections 22 and 23 of the joint rules of the Senate and House for the purpose of taking up and considering until finally disposed of, House Bills No. 1, 16 and 43."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.